

*UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION*

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BITUMINOUS CASUALTY CORPORATION

JUDGMENT IN A CIVIL CASE

v.

RCR BUILDING CORPORATION,  
LEXINGTON INSURANCE COMPANY,  
as subrogee of DIVIDEND CAPITAL  
TRUST, INC., and  
DCT-TECHNICOLOR II, LP, DIVIDEND  
CAPITAL TRUST, INC., and  
DCT-TECHNICOLOR II, LP

CASE NO: 10-2245-A

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DECISION BY COURT. This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS SO ORDERED AND ADJUDGED that in accordance with the Agreed Stipulation Of Dismissal entered on September 23, 2010, this cause is hereby dismissed without prejudice.

APPROVED:

s/ S. Thomas Anderson  
UNITED STATES DISTRICT COURT

DATE: 9/23/2010

THOMAS M. GOULD  
Clerk of Court

s/Terry L. Haley  
(By) Deputy Clerk